

Notice of Allowability

Application No.

10/016,246

Applicant(s)

KLEINBERG ET AL.

Examiner

Dixomara Vargas

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed 06/18/04.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☒ The drawings filed on 30 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-29 are allowed.
2. The following is an examiner's statement of reasons for allowance:
 - a. With respect to claim 1, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a method of analyzing a fluid in a downhole environment comprising the steps of: using the fluid sampling tool to extract the fluid from the earth formation into a flow channel within the tool and monitoring an indication of contamination in the fluid when the indication of contamination is stabilized in combination with the remaining limitations of the claim.
 - b. With respect to claim 9, the claim has been found allowable over the prior art of record because the prior art of record fails to teach a method of analyzing hydrocarbon in a fluid in a downhole environment comprising the steps of: using the fluid sampling tool to extract the fluid from the earth formation into a flow channel in the tool and detecting nuclear magnetic resonance signals from the fluid, the nuclear magnetic resonance signals indicative of carbon-13 nuclei from the fluid in combination with the remaining limitations of the claim.
 - c. With respect to claim 17, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a method of analyzing water phase fluid in a downhole environment comprising the steps of: using the fluid sampling tool to extract the fluid from the earth formation into a flow channel

within the tool; and detecting magnetic resonance signals indicative of nuclei of at least one of the following from the fluid: sodium-23, chlorine-35, chlorine-37 and potassium-39 in combination with the remaining limitations of the claim.

d. With respect to claim 21, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a method of determining stock tank API gravity of a crude oil sample from downhole fluid analysis comprising the steps of: extracting the crude oil sample from the earth formation; measuring a downhole temperature of the sample; and correlating the downhole temperature, viscosity and gas/oil ratio with the stock tank API gravity of the sample in combination with the remaining limitations of the claim.

e. With respect to claim 26, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a NMR module adapted for incorporation into a fluid sampling tool comprising: a NMR antenna adapted to be arranged around the flow line; means coupled with the antenna for generating an oscillating magnetic field within the flow line and means coupled with the antenna for detecting NMR signals from the flow line in combination with the remaining limitations of the claim.

f. Claims 2-8, 10-16, 18-20, 22-25 and 27-29 has been found allowable due to their dependency on claim 1, 9, 17, 21 and 26.

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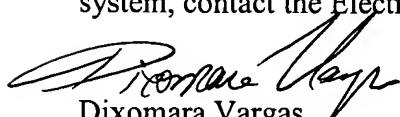
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dixomara Vargas whose telephone number is (571) 272-2252. The examiner can normally be reached on 8:00 am. to 4:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dixomara Vargas
Art Unit 2859
September 3, 2004


Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800